UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	09/576,462	THOMPSON ET AL.
	Examiner	Art Unit	
	Cristina Owen Sherr	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>26 March 2007</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-68</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-68</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Acknowledgements

1   Applicant has amended claim 24, and newly added claims 63-68 in the

amendment filed March 26, 2007.

Decision on Appeal

2   In the Decision on Appeal mailed on February 28, 2007, the Board reversed the

Examiner's rejections of claims 1-53 and 55-62. The Board further entered new

grounds of rejection under 35 U.S.C. 102(e) with respect to claims 1-7, 9-16, and 18, as

representative of the entire invention. The Board also entered new grounds of rejection

under 35 U.S.C. 103(a), with respect to claims 8 and 17. Additionally, the board

entered new rejection under 35 U.S.C. 101 as being directed to non-statutory subject

matter, with respect to claims 24-26, and 46-50.

Response to Amendment

3   This communication is in response to Applicant's (Appellant's) amendment filed

April 26, 2007. The amendment filed on April 26, 2007 is considered to be an

appropriate amendment with respect to the 35 U.S.C. 101 rejections and thus will be

entered only for purposes of the said 35 U.S.C. 101 rejections.

4   With respect to the 35 U.S.C. 102(e) and 35 U.S.C. 103(a) rejection, the

amendment filed on April 26, 2007 is not considered to be an appropriate amendment in

response to the new grounds of rejection under 37 CFR § 41.50(b) entered by the

Board of Patent Appeals and Interferences in the Decision on Appeal mailed on

9/12/2006, and therefore, the amendment will not be entered for that purpose. The

application is being returned to the Board for rehearing on any applicable arguments

and/or to make the judgment final.

Claim Rejections - 35 USC § 102

5   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6   Claims 1-7, 9-16, and 18 are rejected under 35 U.S.C. 102(e) as being

anticipated by Pool (US 6,460,020).

7.   Pool discloses as discussed in the Decision on Appeal, mailed February 28,

2007.

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9.   Claims 8 and 17, 23 , 26, 52 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Pool (US 6,460,020).

10.   Pool discloses as discussed in the Decision on Appeal, mailed February 28,

2007.

11.   Regarding claim 8 –

        Poole discloses catalogs maintained on a database which can be updated
(column 1, lines 30-41), as well as the conversion rate for currency is continually
updated. See also, columns 6 and 7, lines 3 -18 and lines 15 - 27. Poole does
not specifically disclose *modifying the database to update the product identifiers
and/or tariff classification information particular to each of the product identifiers
to ensure an accuracy of associations between the product identifiers and
corresponding tariff classification information.* However, it would have been
obvious to one of ordinary skill in the database arts to update product information
because it provides a powerful tool for organizing and updating products and
product information, assigning fees and tariffs to products during a transactions,
and provides the customer with instant data to make the process of buy and
selling internationally more efficient.

12.   Regarding claim 17 –

        Poole discloses catalogs maintained on a database which can be updated
(column 1, lines 30-41), as well as the conversion rate for currency is continually
updated. See also, columns 6 and 7, lines 3 -18 and lines 15 - 27. Poole does
not specifically disclose *modifying the database to update the product identifiers
and/or tariff classification information particular to each of the product identifiers
to ensure an accuracy of associations between the product identifiers and
corresponding tariff classification information.* However, it would have been
obvious to one of ordinary skill in the database arts to update product information

because it provides a powerful tool for organizing and updating products and product information, assigning fees and tariffs to products during a transactions, and provides the customer with instant data to make the process of buy and selling internationally more efficient.

13.   Regarding claim 19 –

Poole teaches an international transaction system such that Applicants' step of inputting invoice data reads on the goods selected from the catalogs by the customer, Applicants' step of transferring to a server reads on the selection of the customer being transmitted to the processing center/1st database/system operator, column 4, lines 20 - 31, and Applicants' step of matching reads on the commodity code (product id) accessed and obtained, from a third database (via the system operator), based on the customer's selection, column 6, lines 52 - 61, and Applicants' step of outputting a data record reads on the generation of "appropriate documents" by the third database; the documents include at least, freight, handling, basic taxes, documentation fees, insurance and import/export charges of the product(s) (corresponding to the commodity codes)/product id(s)) selected by the customer, see columns 7 - 8, lines 61 - 67 and 1 - 64, respectively. Applicants' server reads on the web site of column 3, lines 41 - 44, Applicants' first computer reads on the computer operated by the customer, Applicants' program reads on the program used by the third database, and Applicants' second computer reads on the vendor's computer.

Pool discloses the international e-commerce shopping system and database application as shown above. Poole does not specifically disclose database functionality such as assigning product identifiers to product, tariff classification information, transferring product data, etc. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the international e-commerce system of Poole with database processing methods because it provides a powerful tool for organizing products, assigning fees and tariffs to products during a transactions, and provides the customer with instant data to make the process of buy and selling internationally more efficient.

14.   Regarding claim 20 –

Poole discloses that the information (invoice data) from the customer (first terminal) is transmitted/inputted to the system operator/website (server), which is associated with the third database (Applicants' database). See at least column 3, line 60 to column 4, line 20.

15.   Regarding claim 21 –

Poole discloses that the vendor (second terminal) connects to the transaction system to generate the data record. Although Poole do not specifically disclose how the vendor accesses the system (whether a private link or public - website), Poole does disclose that the system is on a website (column 4, lines 47 – 51).

16.   Regarding claim 22 –

With regard to the limitation of *the data record is transformed into a customs report for transmittal to a customs entity*, Poole discloses that a customs report is transmitted to a customs entity. See column 10, lines 22 - 27.

17.   Regarding clam 23 –

Poole discloses catalogs maintained on a database which can be updated (column 1, lines 30-41), as well as the conversion rate for currency is continually updated. See also, columns 6 and 7, lines 3 -18 and lines 15 - 27. Poole does not specifically disclose *modifying the database to update the product identifiers and/or tariff classification information particular to each of the product identifiers to ensure an accuracy of associations between the product identifiers and corresponding tariff classification information*. However, it would have been obvious to one of ordinary skill in the database arts to update product information because it provides a powerful tool for organizing and updating products and product information, assigning fees and tariffs to products during a transactions, and provides the customer with instant data to make the process of buy and selling internationally more efficient.

18.   Regarding claim 24 –

With regard to the limitations of:

- *first programming steps operable for establishing a first web page, accessible by a first user at a first terminal coupled to the Internet using a web browser, that permits the first user to input invoice data associated with an import/export*

transaction, wherein the invoice data includes a product identifier for a product to be transported in the import/export transaction;

- *second programming steps operable for matching the product identifier included in the invoice data to a database of product identifiers and corresponding tariff classifications resulting in an output of a data record containing a tariff classification matched with the product identifier identifying the product to be transported in the import/export transaction; and*

- *third programming steps operable for establishing a second web page, accessible by a second user at a second terminal coupled to the Internet using a web browser, that permits the second user to output the data record through the second web page.*

Poole teaches an international transaction system such that Applicants' step of inputting invoice data reads on the goods selected from the catalogs by the customer, Applicants' step of transferring to a server reads on the selection of the customer being transmitted to the processing center/1st database/system operator, column 4, lines 20 - 31, and Applicants' step of matching reads on the commodity code (product id) accessed and obtained, from a third database (via the system operator), based on the customer's selection, column 6, lines 52 - 61,

and Applicants' step of outputting a data record reads on the generation of "appropriate documents" by the third database; the documents include at least, freight, handling, basic taxes, documentation fees, insurance and import/export charges of the product(s) (corresponding to the commodity codes)/product id(s)) selected by the customer, see columns 7 - 8, lines 61 - 67 and 1 - 64, respectively. Applicants' server reads on the web site of column 3, lines 41 - 44, Applicants' first computer reads on the computer operated by the customer, Applicants' program reads on the program used by the third database, and Applicants' second computer reads on the vendor's computer.

Pool discloses the international e-commerce shopping system and database application as shown above. Poole does not specifically disclose database functionality such as assigning product identifiers to product, tariff classification information, transferring product data, etc. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the international e-commerce system of Poole with database processing methods because it provides a powerful tool for organizing products, assigning fees and tariffs to products during a transactions, and provides the customer with instant data to make the process of buy and selling internationally more efficient.

19.   Regarding claim 25 –

With regard to the limitation of *the database is stored on a server coupled to the Internet,* Poole discloses Internet-accessible databases (column 1, lines 30-49).

20.   Regarding claim 26 –

With regard to the limitations of:

- *fourth programming steps operable for establishing a third web page, accessible by a third user at a third terminal coupled to the Internet using a web browser, that permits the third user to update the product identifiers and corresponding tariff classifications in the database*

Pool discloses the international e-commerce shopping system and database application as shown above. Poole does not specifically disclose database functionality such as assigning product identifiers to product, tariff classification information, transferring product data, etc. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the international e-commerce system of Poole with database processing methods because it provides a powerful tool for organizing products, assigning fees and tariffs to products during a transactions, and provides the customer with instant data to make the process of buy and selling internationally more efficient.

21. Regarding claim 27 –

Pool discloses the international e-commerce shopping system and database application as shown above. Poole also teaches that a product from a particular vendor (thus a particular identifier) may be selected, column 5, lines 2 - 58. Poole does not specifically disclose:

- *the product identifier is unique to a particular company;*

- *the import/export transaction is associated with the particular*

  company;

However, it is old and well known in the financial and transactional arts to assign company unique part numbers or product ID numbers to specific products, as well as associating identifiable transactions with specific companies. Since duties and tariffs are heavily taxed and regulated, maintaining precise records of products bought and sold internationally provides a record for assessing taxes and fees.

22.   Regarding claim 28 –

Pool discloses the international e-commerce shopping system and database application as shown above. Poole also teaches that a product from a particular vendor (thus a particular identifier) may be selected, column 5, lines 2 - 58. Poole does not specifically disclose:

- *the product identifier is unique to a particular company;*

- *the import/export transaction is associated with the particular*

  company;

However, it is old and well known in the financial and transactional arts to assign company unique part numbers or product ID numbers to specific products, as well as associating identifiable transactions with specific companies. Since duties and tariffs are heavily taxed and regulated, maintaining precise records of products bought and sold internationally provides a record for assessing taxes and fees.

23.   Regarding claim 29 –

With regard to the limitation of *the first terminal is coupled to the server over the network,* Poole teaches that the customer interacts with the system via the Internet.

24.   Regarding claim 30 –

With regard to the limitation of *the matching step results in the tariff classification information being assigned to the product identifier included in the invoice data,* Poole teaches that the third database assigns/outputs commodity codes (tariff classification information) corresponding to the products selected by the customer.

25.   Regarding claim 31 –

Poole discloses catalogs maintained on a database which can be updated (column 1, lines 30-41), as well as the conversion rate for currency is continually updated. See also, columns 6 and 7, lines 3 -18 and lines 15 - 27. Poole does not specifically disclose *modifying the database to update the product identifiers and/or tariff classification information particular to each of the product identifiers to ensure an accuracy of associations between the product identifiers and corresponding tariff classification information.* However, it would have been obvious to one of ordinary skill in the database arts to update product information because it provides a powerful tool for organizing and updating products and product information, assigning fees and tariffs to products during a transactions,

and provides the customer with instant data to make the process of buy and selling internationally more efficient.

26.   Regarding claim 32 –

        With regard to the limitation of *the invoice data lists products to be imported/exported, and each product is identified with a product identifier,* Poole teaches that the invoice contains the products to be imported/exported along with a commodity code corresponding to the products selected.

27.   Regarding claim 35 –

        Poole/discloses the international e-commerce system as shown above. Poole does not specifically disclose that *the customs entry report is sorted by tariff numbers. However,* in order to comply with US Customs the tariff numbers must be in order or sorted. Therefore, it is considered that it would have been obvious to one of ordinary skill in the art at the time of the invention to sort the tariff numbers as this is a requirement of US Customs.

28.   Regarding claim 36 –

        With regard to the limitation of *creating a master report to facilitate the import/export transaction,* Poole teaches creating custom entry reports for customers. See columns 11 - 12, lines 35 - 67 and 1 – 53.

29.   Regarding claim 37 –

        Pool discloses the international e-commerce shopping system and database application as shown above. Poole does not specifically disclose:

> - *displaying a harmonized tariff schedule in a split screen during the matching step.*
>
> - *linking to a harmonized tariff schedule in a split screen with the data record.*

However, it is obvious in the computer arts to use split-screen display devices. Placing data alongside related data provides a user with an environment that encourages efficient comparisons and contrasts, as well as associations and relationships.

30.   Regarding claim 38 –

With regard to the limitation of *the database of product identifiers and tariff classification information is customized on a per customer basis to ensure that the matching of the product identifiers with the tariff classification numbers is in compliance with local customs regulations,* Poole teaches that for products selected by a customer, tariff classification information is provided on the customer's invoice. As there may be many customers desiring to purchase any amount of different types of products, each of the invoices provided by the system will be customized. Further, Poole teaches that upon looking up the commodity codes, formats for any necessary import/export data and administrative requirements (compliance) for all countries involved are also considered.

31.   Regarding claim 39 –

Pool discloses the international e-commerce shopping system and database application as shown above. Poole also teaches that a product from a particular vendor (thus a particular identifier) may be selected, column 5, lines 2 - 58. Poole does not specifically disclose:

- *the product identifier is unique to a particular company;*

- *the import/export transaction is associated with the particular company;*

However, it is obvious to one of ordinary skill in the financial and transactional arts to assign company unique part numbers or product ID numbers to specific products, as well as associating identifiable transactions with specific companies. Since duties and tariffs are heavily taxed and regulated, maintaining precise records of products bought and sold internationally provides a record for assessing taxes and fees

32.   Regarding claim 40 –

Pool discloses the international e-commerce shopping system and database application as shown above. Poole also teaches that a product from a particular vendor (thus a particular identifier) may be selected, column 5, lines 2 - 58. Poole does not specifically disclose:

- *the product identifier is unique to a particular company;*

- *the import/export transaction is associated with the particular company;*

However, it is obvious to one of ordinary skill in the financial and transactional arts to assign company unique part numbers or product ID numbers to specific products, as

well as associating identifiable transactions with specific companies. Since duties and

tariffs are heavily taxed and regulated, maintaining precise records of products bought

and sold internationally provides a record for assessing taxes and fees

33.   Regarding claim 41 –

With regard to the limitation of *the first terminal is coupled to the server over the*

network, Poole teaches that the customer interacts with the system via the

Internet.

34.   Regarding claim 42 –

With regard to the limitation of *the matching program results in the*

import/export transaction information being assigned to the product identifier

included in the invoice data, Poole discloses accessing a third database for the

commodity codes corresponding to the products selected by the customer and

included in the invoice.

35.   Regarding claim 43 –

With regard to the limitations of:

- *updating the database from a third terminal coupled to the*
  network.

- *updating the database from a third terminal coupled to the*
  network.

- *a program operable for updating the database.*

- *a program operable for modifying the database to update the*
  product   identifiers   and/or   import/export   transaction

information corresponding to each of the product identifiers

to ensure legal compliance of associations between the

product identifiers and corresponding import/export

transaction information.

- *updating the database to ensure that the associations of the*

  harmonized tariff numbers with the customer's product

  numbers are in compliance with the country's customs

  regulations.

Poole discloses catalogs maintained on a database which can be updated

(column 1, lines 30-41), as well as the conversion rate for currency is continually

updated. See also, columns 6 and 7, lines 3 -18 and lines 15 - 27. Poole does

not specifically disclose *modifying the database to update the product identifiers*

and/or tariff classification information particular to each of the product identifiers

to ensure an accuracy of associations between the product identifiers and

corresponding tariff classification information.   However, it would have been

obvious to one of ordinary skill in the database arts to update product information

because it provides a powerful tool for organizing and updating products and

product information, assigning fees and tariffs to products during a transactions,

and provides the customer with instant data to make the process of buy and

selling internationally more efficient.

36.   Regarding claim 44 –

With regard to the limitation of *the invoice data lists products to be imported/exported, and each product is identified with a product identifier,* Poole teaches that the invoice contains the products to be imported/exported along with a commodity code corresponding to the products selected.

37.   Regarding claim 45 –

With regard to the limitations of:

- *the tariff classification information is a harmonized tariff number for a particular country.*

- *the import/export transaction information is a harmonized tariff number for a particular country.*

Poole et al teaches that the tariff classification information is a code for a particular country. See column 6, lines 51 - 61.

38.   Regarding claim 46 –

Pool discloses the international e-commerce shopping system and database application as shown above. Poole also teaches that a product from a particular vendor (thus a particular identifier) may be selected, column 5, lines 2 - 58. Poole does not specifically disclose:

- *the product identifier is unique to a particular company;*

- *the import/export transaction is associated with the particular company;*

However, it is obvious to one of ordinary skill in the financial and transactional arts to assign company unique part numbers or product ID numbers to specific products, as

well as associating identifiable transactions with specific companies. Since duties and

tariffs are heavily taxed and regulated, maintaining precise records of products bought

and sold internationally provides a record for assessing taxes and fees.,

39.   Regarding claim 47 –

Pool discloses the international e-commerce shopping system and

database application as shown above. Poole also teaches that a product from a

particular vendor (thus a particular identifier) may be selected, column 5, lines 2 -

58. Poole does not specifically disclose:

- *the product identifier is unique to a particular company;*

- *the import/export transaction is associated with the particular*
  company;

However, it is obvious to one of ordinary skill in the financial and transactional arts to

assign company unique part numbers or product ID numbers to specific products, as

well as associating identifiable transactions with specific companies. Since duties and

tariffs are heavily taxed and regulated, maintaining precise records of products bought

and sold internationally provides a record for assessing taxes and fees.

40.   Regarding claim 48 –

With regard to the limitation of *the matching steps result in the tariff*

classifications being assigned to the product identifiers included in the invoice

data, Poole disclose accessing a third database for the commodity codes

corresponding to the products selected by the customer and included in the

invoice.

41.   Regarding claim 49 –

With regard to the limitations of:

- *the tariff classification information is a harmonized tariff number for a particular country.*

- *the import/export transaction information is a harmonized tariff number for a particular country.*

Poole et al teaches that the tariff classification information is a code for a particular country. See column 6, lines 51 - 61.

42.   Regarding claim 50 –

With regard to the limitation of *the database of product identifiers and tariff classification information is customized on a per customer basis to ensure that the matching of the product identifiers with the tariff classification numbers is in compliance with local customs regulations,* Poole teaches that for products selected by a customer, tariff classification information is provided on the customer's invoice. As there may be many customers desiring to purchase any amount of different types of products, each of the invoices provided by the system will be customized. Further, Poole teaches that upon looking up the commodity codes, formats for any necessary import/export data and administrative requirements (compliance) for all countries involved are also considered.

43.   Regarding claim 51 –

With regard to the limitations of:

- *creating an invoice representing a purchase of the products by a customer resident within the country, wherein the invoice lists the products by product number;*

- *uploading invoice data over a network to a server from a workstation coupled to the server over the network, wherein the invoice data is an electronic version of the invoice;*

- *creating a database of customer products and tariff classification information, wherein the database is accessible by the server, wherein the database comprises product numbers for products particularly associated with the customer, wherein the product numbers are each assigned a harmonized tariff number particular to the country;*

- *comparing the product numbers in the invoice data to product numbers in the database to compile a customs entry report where the product numbers in the invoice are each assigned a harmonized tariff number;*

- *using the customs entry report to create a master report to facilitate entry of the products into the country, wherein the master report includes the harmonized tariff numbers assigned to each of the product numbers; and*

- *sending the master report to a government customs office.*

Poole teaches an international transaction system such that Applicants'
step of creating an invoice reads on the products input by the customer,
Applicants' step of uploading invoice data reads on the customer transmitting
(electronically) the invoice to the transaction system, Applicants' step of
transferring to a server reads on the selection of the customer being transmitted
to the processing center/1st database/system operator, column 4, lines 20 - 31,
Applicants' step of creating a database reads on the third database, Applicants'
step of comparing the product numbers reads on the system of Poole
determining the commodity codes corresponding to the products selected/input
by the customer and placing them in "order" form (customs entry report),
Applicants' step of using the customs entry report reads on putting the
customer's "order" into proper form (master report) for "Customs", and
Applicants' step of sending reads on "moving the papers... to the customs
department", columns 11 - 12, lines 61 - 67 and lines I - 4, respectively, and
Applicants' step of matching reads on the commodity code (product id) accessed
and obtained, from a third database (via the system operator), based on the
customer's selection, column 6, lines 52 - 61, and Applicants' step of outputting a
data record reads on the generation of "appropriate documents" by the third
database; the documents include at least, freight, handling, basic taxes,
documentation fees, insurance and import/export charges of the product(s)
(corresponding to the commodity codes)/product id(s)) selected by the customer,
see columns 7 - 8, lines 61 - 67 and 1 - 64, respectively. Applicants' server reads

on the web site of column 3, lines 41 - 44, Applicants' first computer reads on the computer operated by the customer, Applicants' program reads on the program used by the third database, and Applicants' second computer reads on the vendor's computer.

Pool discloses the international e-commerce shopping system and database application as shown above. Poole does not specifically disclose database functionality such as assigning product identifiers to product, tariff classification information, transferring product data, etc. It would have been obvious to one of ordinary skill in the art at the time of the invention to adapt the international e-commerce system of Poole with database processing methods because it provides a powerful tool for organizing products, assigning fees and tariffs to products during a transactions, and provides the customer with instant data to make the process of buy and selling internationally more efficient.

44.   Regarding claim 52 –

With regard to the limitations of:

- *updating the database from a third terminal coupled to the network.*

- . *updating the database from a third terminal coupled to the network.*

- *a program operable for updating the database.*

- *a program operable for modifying the database to update the product identifiers and/or import/export transaction*

> *information corresponding to each of the product identifiers*
>
> *to ensure legal compliance of associations between the*
>
> *product identifiers and corresponding import/export*
>
> *transaction information.*
>
> • *updating the database to ensure that the associations of the*
>
> *harmonized tariff numbers with the customer's product*
>
> *numbers are in compliance with the country's customs*
>
> *regulations.*

Poole discloses catalogs maintained on a database which can be updated (column 1, lines 30-41), as well as the conversion rate for currency is continually updated. See also, columns 6 and 7, lines 3 -18 and lines 15 - 27. Poole does not specifically disclose *modifying the database to update the product identifiers and/or tariff classification information particular to each of the product identifiers to ensure an accuracy of associations between the product identifiers and corresponding tariff classification information.* However, it would have been obvious to one of ordinary skill in the database arts to update product information because it provides a powerful tool for organizing and updating products and product information, assigning fees and tariffs to products during a transactions; and provides the customer with instant data to make the process of buy and selling internationally more efficient.

45.   Regarding claim 53 -

    With regard to the limitations of:

- *importing the products into the country; and*

- *facilitating passage of the products through the country's customs office using the master report created as a result of the comparing step.*

Applicants' step of importing/exporting and facilitating passage of the products read on the purpose of the system of Poole.

46.   Regarding claim 55 –

With regard to the limitation of *the database of product identifiers and tariff classification information is customized on a per customer basis to ensure that the matching of the product identifiers with the tariff classification numbers is in compliance with local customs regulations,* Poole teaches that for products selected by a customer, tariff classification information is provided on the customer's invoice. As there may be many customers desiring to purchase any amount of different types of products, each of the invoices provided by the system will be customized. Further, Poole teaches that upon looking up the commodity codes, formats for any necessary import/export data and administrative requirements (compliance) for all countries involved are also considered.

47.   Regarding claims 56-58 –

With regard to the limitations of:

- *importing the product into a country using the data record.*

- *exporting the product into a country using the data record.*

- *the data record is used to facilitate the importing of the product into the country.*

Applicants' step of importing/exporting the product reads on the purpose of the system of Poole.

48.   Regarding clam 59 –

With regard to the limitation of *the data record is used to create a customs entry report to facilitate the importing of the product into the country,* Poole disclose that the invoice (data record) is used to facilitate the importing of the product into the country.

49.   Regarding claim 60 –

Pool discloses the international e-commerce shopping system and database application as shown above. Poole does not specifically disclose:

- *displaying a harmonized tariff schedule in a split screen during the matching step.*

- *linking to a harmonized tariff schedule in a split screen with the data record.*

However, it is obvious in the computer arts to use split-screen display devices.   Placing data alongside related data provides a user with an environment that encourages efficient comparisons and contrasts, as well as associations and relationships.

50.   Regarding claim 61 –

With regard to the limitations of:

- *inputting invoice data associated with an import/export transaction at a first terminal coupled to a computer network, wherein the invoice data includes a product identifier identifying a product to be transported in the import/export transaction;*

- *transferring the invoice data from the first terminal to a server hosting a database of product identifiers and tariff classification information particular to each of the product identifiers;*

- *matching the product identifier identifying the product to the product identifiers in the database; and*

- *outputting a data record in response to the matching step, wherein the data record includes tariff classification information associated with the product identifier identifying the product;*

- *importing a product into a country using the data record.*

Poole teaches an international transaction system such that Applicants' step of inputting invoice data reads on the goods selected from the catalogs by the customer, Applicants' step of transferring to a server reads on the selection of the customer being transmitted to the processing center/First database/system operator, column 4, lines 20 - 31, and Applicants' step of matching reads on the commodity code (product id) accessed and obtained, from a third database (via

the system operator), based on the customer's selection, column 6, lines 52 - 61, Applicants' step of outputting a data record reads on the generation of "appropriate documents" by the third database, the documents include at least, freight, handling, basic taxes, documentation fees, insurance and import/export charges of the product(s) (corresponding to the commodity codes)/product id(s)) selected by the customer, see columns 7 - 8, lines 61 - 67 and 1 - 64, respectively, and Applicants' step of importing a product reads on the purpose of the system of Poole.

Pool discloses the international e-commerce shopping system and database application as shown above. Poole does not specifically disclose database functionality such as assigning product identifiers to product, tariff classification information, transferring product data, etc. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the international e-commerce system of Poole with database processing methods because it provides a powerful tool for organizing products, assigning fees and tariffs to products during a transactions, and provides the customer with instant data to make the process of buy and selling internationally more efficient.

51.   Regarding claim 62 –

        With regard to the limitations of:

-      *creating an invoice representing a purchase of the products by a customer resident within the country, wherein the invoice lists the products by product number; uploading*

invoice data over a network to a server from a workstation coupled to the server over the network, wherein the invoice data is an electronic version of the invoice;

- *creating a database of customer products and tariff classification information, wherein the database is accessible by the server, wherein the database comprises product numbers for products particularly associated with the customer, wherein the product numbers are each assigned a harmonized tariff number particular to the country;*

- *comparing the product numbers in the invoice data to product numbers in the database to compile a customs entry report where the product numbers in the invoice are each assigned a harmonized tariff number;*

- *using the customs entry report to create a master report to facilitate entry of the products into the country, wherein the master report includes the harmonized tariff numbers assigned to each of the product numbers;*

- *sending the master report to a government customs office; importing the products into the country; and*

- *facilitating passage of the products through the country's customs office using the master report created as a result of the comparing step.*

Applicants' step of creating an invoice reads on the products input by the customer, Applicants' step of uploading invoice data reads on the customer transmitting (electronically) the invoice to the transaction system, Applicants' step of creating a database reads on the third database, Applicants' step of comparing the product numbers reads on the system of Poole determining the commodity codes corresponding to the products selected/input by the customer and placing them in "order" form (customs entry report), Applicants' step of using the customs entry report reads on putting the customer's "order" into proper form (master report) for "Customs", Applicants' step of sending reads on Poole electronically "moving the papers... to the customs department", columns 11 - 12, lines 61 - 67 and lines 1 - 4, respectively, Applicants' step of importing and facilitating passage of the products reads on the purpose of the system of Poole, column 4, lines 1 - 19.

Pool discloses the international e-commerce shopping system and database application as shown above. Poole does not specifically disclose database functionality such as assigning product identifiers to product, tariff classification information, transferring product data, etc. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the international e-commerce system of Poole with database processing methods because it provides a powerful tool for organizing products, assigning fees and tariffs to products during a transactions, and provides the customer with instant data to make the process of buy and selling internationally more efficient.

52.   Regarding claims 63-68 –

Poole teaches an international transaction system such that Applicants'
step of inputting invoice data reads on the goods selected from the catalogs by
the customer, Applicants' step of transferring to a server reads on the selection of
the customer being transmitted to the processing center/1st database/system
operator, column 4, lines 20 - 31, and Applicants' step of matching reads on the
commodity code (product id) accessed and obtained, from a third database (via
the system operator), based on the customer's selection, column 6, lines 52 - 61,
and Applicants' step of outputting a data record reads on the generation of
"appropriate documents" by the third database; the documents include at least,
freight, handling, basic taxes, documentation fees, insurance and import/export
charges of the product(s) (corresponding to the commodity codes)/product id(s))
selected by the customer, see columns 7 - 8, lines 61 - 67 and 1 - 64,
respectively.

Discussion

53.   In response to a new grounds of rejection under 37 CFR § 41.50(b), Appellant
has the option of reopening prosecution by submitting an appropriate amendment
and/or new evidence or requesting rehearing before the Board (MPEP § 1214.01). An
amendment is "appropriate" under the rule if it amends one or more of the claims
rejected, or substitutes new claims to avoid the art for reasons adduced by the Board.
(MPEP§ 1214.01(I)).

54.   Appellant filed an amendment on April 26, 2007, amending only claim 24 in order

to overcome the new rejection under 35 U.S.C. 101 as being directed to non-statutory

subject matter. No amendments were made in order to overcome the new grounds of

rejection on the merits by the Board.

55.   This amendment does not place the application in condition for allowance and

the affirmed rejection is not open to further prosecution.

> "The new ground of rejection raised by the Board does not reopen
> prosecution except as to that subject matter to which the new
> rejection was applied. If the Board's decision in which the
> rejection under 37 CFR 41.50(b) was made includes an affirmance
> of the examiner's rejection, the basis of the affirmed rejection is
> not open to further prosecution." (MPEP § 1214.01(1))

56.   Therefore, the amendment of 11/02/2006 is not considered an appropriate

amendment and will not be entered. The Application is being forwarded to the Board for

rehearing on any applicable arguments and/or to make the judgment final.

Conclusion

57.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Cristina Owen Sherr whose telephone number is 571-

272-6711. The examiner can normally be reached on 8:30-5:00 Monday through

Friday.

58.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Andrew J. Fischer can be reached on 571-272-6779. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

59.   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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